

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 KEITH T. TOWNS,)
12 Plaintiff,) 2:04-cv-1855-FCD-EFB
13 v.) ORDER VACATING
14 AMERIQUEST MORTGAGE CO., et al.,) SETTLEMENT CONFERENCE
15 Defendants.)
16 _____)

17 On November 6, 2007, United States District Judge Frank C.
18 Damrell issued a Pretrial Conference Order setting a settlement
19 conference before the undersigned judge to commence at 1:30 p.m. on
20 December 7, 2007, and requiring the parties to submit to the
21 undersigned judge's chambers "confidential settlement conference
22 statements seven (7) calendar days prior to the conference."
23 (Pretrial Conf. Order at 12.)

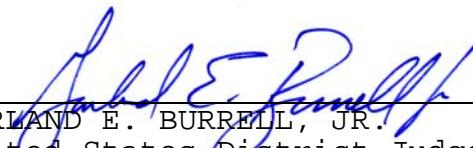
24 Plaintiff has not submitted a settlement conference
25 statement; it was due on Friday, November 30, 2007. When the
26 undersigned judge called Plaintiff's counsel earlier today to
27 determine why he had not submitted a settlement conference statement
28 and whether he intended to submit a settlement conference statement,

1 the undersigned judge only reached a voice recording. Further, when
2 the undersigned judge contacted defense counsel earlier today, it was
3 discovered that at least one of the Defendants has made airline
4 reservations in order to appear at the December 7 settlement
5 conference.

6 Since Plaintiff failed to submit a settlement conference
7 statement, and since it is unclear whether Plaintiff intends to appear
8 at the December 7 settlement conference, that settlement conference is
9 vacated.

10 IT IS SO ORDERED.

11 Dated: December 4, 2007

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13 GARLAND E. BURRELL, JR.
14 United States District Judge

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